

Juvenile Justice Improvement Committee
Judicial Conference of Indiana

Minutes
February 1, 2002

The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, February 1, 2002 from 12:00 Noon until 3:00 p.m.

1. Members present. W. Timothy Crowley, Steve David, James R. Heuer, Lynn Murray, James W. Payne, Daniel L. Pflum, Julian L. Ridlen, R. Paulette Stagg, and Stephen M. Sims, Chair.
2. Minutes approved. The minutes for the meeting on January 4, 2002 were approved.
3. Guests present. Nikki Kincaid, Director, Juvenile Justice Division, and Brent Myers, Research Associate, Indiana Criminal Justice Institute were present.
4. Staff present. Jeffrey Bercovitz and Anne Jordan provided the committee with staff assistance.
5. Recent legislation.
 - a. The members of the committee discussed HB 1004. Mr. Bercovitz distributed SB 459 and HB 1073 that create a Juvenile Law Study Commission of 11 and 23 members respectively. Judge Ridlen moved the Committee support the creation of a 13-member juvenile law study commission. Judge Crowley seconded the motion. The motion was passed.
 - b. Mr. Bercovitz distributed HB 1087 concerning party status for foster parents. The committee affirmed their longstanding opposition to this legislation. HB 1265 concerning sealing of juvenile records was discussed. The committee expressed concerns on how record will be sealed in a computer, or a police blotter, or detention center. They asked Mr. Bercovitz to testify about these concerns if the bill is heard again.
 - d. Mr. Bercovitz distributed HB 1298, 1027, and SB 426 to committee members.
6. Detention.
 - a. Ms. Nikki Kincaid, Director, Juvenile Justice Division, Indiana Criminal Justice Institute distributed the following: (1) monthly log for reporting of juveniles in detention or jail, (2) list of grant funding for the following areas: Alternative to Secure Confinement, Disproportionate Minority Confinement, Primary Delinquency Prevention, Systems Improvement, Gender Specific Programming, Comprehensive Mental Health Services, Juvenile Justice Services-Challenge Grants, and Alternative Schools; (3) Federal regulations for removal of juveniles from jails, and (4) List of Board of Trustees and Juvenile Justice State Advisory Group. Mr. Bercovitz distributed a letter submitted by Judge Harper that complimented the grant process of the Indiana Criminal Justice Institute.
 - b. Committee members discussed the use of a unique identifier for reporting juveniles in confinement to the Criminal Justice Institute for confidentiality purposes. Committee members agreed to urge juvenile detention centers to use a unique identifier, not names. Ms. Kincaid said

the Indiana Criminal Justice Institute would follow expungement orders. She agreed to prepare a form cover sheet for use by courts with protective orders for review by the committee.

7. Jurisdiction over juveniles at DOC. Mr. Bercovitz distributed materials from Judge David concerning requests by juveniles at DOC for courts to bring them home early. Judge David explained there was no procedure for juveniles to make these requests. The committee discussed: (1) whether a response to this request be an *ex parte* communication; (2) show bias on the part of the judge if a hearing is not set; and/or (3) require a hearing to be set. Practices around the state are not consistent in this area, and the committee agreed to discuss this topic at the annual juvenile judges conference.

8. Medicaid rehabilitation option. Mr. Bercovitz distributed materials from IARRCA's Monday Morning Update concerning the use of the Medicaid rehabilitation option (MRO) in Indiana. He also distributed a publication from FSSA entitled, "Key Biennium Priorities" to committee members. Judge Payne explained Indiana limits the use of MRO through local mental health centers. The committee agreed to invite John Hamilton to discuss the MRO, biennium priorities, and other issues with the committee at their next meeting.

9. Coordination of Quest users. Mr. Bercovitz distributed a letter submitted by Judge Sims dated 12/3/01 concerning the coordination of juvenile courts using the QUEST computer system for juvenile records. Judge Payne said QUEST has a process to distribute automatic notice of release of sex offenders, probation workload measures system, and common victim impact statements. Judge Sims said QUEST users should work with DOC to send out 10-day notice of release letters, and the electronic sharing of information between juvenile courts and DOC.

10. Juvenile reentry courts. Judge Payne reported OJJDP would provide technical assistance for development of juvenile reentry courts. It is for juveniles coming out of DOC back to the community and surrounding them with services for jobs and education. Judge Sims reported that Judge Surbeck, Allen Superior Court, is running a similar program for adults.

11. Next meeting dates. The committee members agreed to hold the next meetings of the committee on the following Fridays: March 1, 2002; May 3, 2002; June 7, 2002; and November 1, 2002 from 12:00 noon – 3:00 p.m. Members can bring lunch to these meetings. They also agreed to meet Wednesday, September 11, 2002, from 11:00 a.m. to 12:00 noon in conjunction with the judicial conference in Ft. Wayne.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law